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HOUSE JOINT RESOLUTION 685  
By Walley

A RESOLUTION to create a joint study committee to examine the need for appropriate utilization review processes for mental health care and treatment of chemically dependent populations.

WHEREAS, the general assembly recognizes the importance to all Tennesseans of promoting appropriate and quality care for those with mental health or chemical dependency problems and to eliminate administrative barriers to care such as restrictive gatekeeper access to care, unnecessary and burdensome paperwork demands, and arbitrary definitions of medically beneficial or necessary care for mental health and chemical dependency problems; and

WHEREAS, the general assembly is cognizant of the need to safeguard the confidential nature of any and all information shared about a patient with a mental health or chemical dependency problem, recognizing that utilization review processes for mental health and chemical dependency problems are different than those processes utilized to review the care of physical disorders; and

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WHEREAS, the general assembly is troubled by the vexing problem of administrative discrimination of care for those with mental health or chemical dependency problems in the form of excessive administrative or paperwork requirements in the review of such care or late payment of claims; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES ON THE ONE HUNDRED FIRST GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That there is hereby created a special joint committee to study the need for mental health and chemical dependency utilization review. Such study shall, at minimum, seek to ensure that any person who recommends denial of care or determines that a service is not clinically appropriate must be both licensed in an appropriate mental health discipline and of the same professional discipline and specialty area as the provider seeking authorization for the care being denied.

BE IT FURTHER RESOLVED, That the committee shall consider the need for more focused and specific utilization review processes in determining the appropriateness of care for each individual patient and shall recommend appropriate standards for patients in inpatient and residential care settings as well as for individuals in outpatient care. The committee shall also examine the needs of individuals treated in partial hospitalization programs, wrap-around services, and other programs requiring more than two (2) clinical service hours per day, and shall recommend appropriate standards for precertification of care and prior authorization and more focused utilization review processes for both in-network or out-of-network providers or facilities.

BE IT FURTHER RESOLVED, That the committee shall review recordkeeping and precertification requirements for individuals treated for mental health or chemical abuse disorders and shall recommend reasonable and appropriate guidelines for such requirements that reflect the severity of the illness and the intensity of the treatment modality chosen by the health care professional. Recordkeeping recommendations shall be made with sensitivity

relative to the extreme privacy and confidentiality needs of the mental health or chemical dependency.

BE IT FURTHER RESOLVED, That the special joint committee shall be composed of three (3) members of the Senate, to be appointed by the Speaker of the Senate, and three (3) members of the House of Representatives, to be appointed by the Speaker of the House of Representatives.

BE IT FURTHER RESOLVED, That all appropriate state agencies shall provide assistance to the special joint committee upon request of the chair.

BE IT FURTHER RESOLVED, That all legislative members of the special joint committee who are duly elected members of the general assembly shall remain members of such committee until the committee reports its findings and recommendations to the general assembly.

BE IT FURTHER RESOLVED, That the special joint committee shall be convened by the member with the most years of continuous service in the general assembly; and at its first meeting shall elect a chair, vice-chair, and such other officers the committee deems necessary.

BE IT FURTHER RESOLVED, That the special joint committee shall timely report its findings and recommendations, including any proposed legislation or interim reports, to the One Hundred Second General Assembly no later than March 1, 2001, at which time the committee shall cease to exist.